

Attachment to Independent Case Review Report
For CDRU # 6283 Case file # 95-248863.

Material Examiner: Malone (RQ)

Remarks:

Case resulted in a guilty plea, no testimony transcript.

CRM - 12641

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fibers

Review commenced at: 9:15 AM (Time), 11/06/01 (Date)

File #: 95-248863

Laboratory #(s): 20331061

Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>RQ</u>	X <input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<u>UL</u>	<input type="checkbox"/>	X <input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: none available

Testimony Date(s): _____ Pages: _____

Laboratory Report(s):

Laboratory Number: 20331061 Date: July 2, 1982
Laboratory Number: _____ Date: _____
Laboratory Number: _____ Date: _____

Examiner Bench Notes of: RQ and unknown technician

Laboratory Number: 20331061

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Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: submitting agency letter dated 3-29-82

Results of Review

File #: 95-248863 Item or Specimen # Reviewed: Q1-Q15, K1-K2

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☐ Yes ☐ No ☒ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☐ Yes ☒ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

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Initials: SM

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-248863

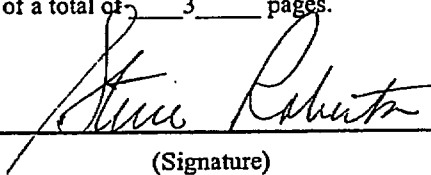
#1: With microscopic hair comparison, one cannot determine from the notes that the examination was conducted in an appropriate manner.

#2: Documentation is poor. The notes are not dated and are in pencil and not ink. The laboratory report states "No hairs dissimilar to the pubic hairs of the victim were found in specimen Q11". Specimen Q11 is listed in the report and in the technician's notes as being pubic hair combings from the suspect. The examiner's notes indicate the hair in specimen Q11 match the suspect's known pubic hair sample, and not the victim's pubic hair. The technician does not document the recovery of hair from Q4-Q6, Q9, Q12 and Q13 as stated in the report.

Review completed at: 9:45 AM (Time), 11/06/01 (Date)

Total time spent conducting review (to nearest 1/4 hour): 0.50 hr.

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.


(Signature)

11/06/2001
(Date)

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Initials: 